

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

*IN RE* TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

THOMAS E. BURNETT, SR., *et al.*,

Plaintiffs,

v.

C.A. No. 03 CV 9849 (RCC)

AL BARAKA INVESTMENT AND DEVELOPMENT  
CORPORATION, *et al.*,

Defendants.

**DECLARATION OF ADEL A.J. BATTERJEE (D93)**

I, Adel A.J. Batterjee, being duly sworn, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.

2. I have been informed by my attorney that I am listed as a defendant (D93) in the above-captioned action. I am submitting this declaration in support of my Motion to Dismiss for lack of personal jurisdiction, failure to state a claim upon which relief can be granted and improper service of process.

3. I was born on June 1, 1946 in Jeddah, Saudi Arabia, and have lived in Saudi Arabia all of my life. I have always been a citizen of the Kingdom of Saudi Arabia.

4. I am a merchant in Jeddah, Saudi Arabia.

5. I first visited the United States when I came as a student from 1963-1967. I have visited the US since then, with the last visit in June 2000. The purposes of the visits were

personal.

6. I own no real property in the United States. I also have no bank accounts, and have no investments in the United States. I do not conduct any personal business with any businesses in the United States nor do I have a Social Security number.

7. I do not subscribe to or read either the *International Herald Tribune* or the *Al Quds al Arabi*. The latter publication, to my knowledge, is banned in the Kingdom of Saudi Arabia.

8. I have never supported the loss of innocent life and believe that there is no justification for the tragic attacks of September 11, 2001. I have never supported any person or organization that I have known to participate in terrorist activities. At no time did I ever knowingly participate in, or support in any way, terrorist activities, nor was anyone ever authorized by me, explicitly or implicitly, to engage in such activities.

9. The only specific allegations against me in the Third Amended Complaint in ¶¶75, 76, 180-5, 217-219, 228-230, 365 are rife with factual errors and incorrect associations. While the word 'Bir' in Arabic is translated as 'Benevolence', BIF was never a branch of Al Bir or vice versa. I never sent money to BIF in all its history and transferred all control in 1993, after which I exercised neither daily nor financial control of BIF in any way. Also, I never served as any executive of World Assembly of Muslim Youth, let alone Secretary-General. Furthermore, I was never charged or implicated in any criminal case in the US. Taken in their totality, all the allegations about me in the Third Amended Complaint portraying me as conducting business in the US and being tied, directly or indirectly, to al-Qaeda are false.

10. I also deny that I had any knowledge of the activities of Osama bin Laden and al Qaeda other than what is generally known through the press. Also, I never wrote a biography of

bin Laden as alleged in ¶230.

11. I also deny having any knowledge of any terrorist activities as alleged in ¶¶ 14, 15, 18, 20 and 38 of Plaintiffs' More Definite Statement as to Defendant Yousef Abdul Latif Jameel (Mar. 16, 2004), due largely to Plaintiff's lack of specificity and the secret nature of the alleged "evidence" used by the governments in their investigation and designation process.

12. I can read and understand English.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
Adel A.J. Batterjee

Executed on the 8<sup>th</sup> day of April, 2004.

# **EXHIBIT B**

World Assembly of Muslim Youth

Member of the UN NGO'S



الدعوة العالمية للشباب الإسلامي

عضو المنظمات غير الحكومية - هيئة الأمم المتحدة

Ref. No : 1/12010  
27/09/1426H  
Date : 30/10/2005G

مكتب الأمين العام  
The Secretary General Office

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001 03 MDL 1570 (RCC)

ECF Case

DECLARATION OF SALEH AL-WOHAIBI

1. In the Name of God, the Merciful, the Compassionate, I, Saleh Al-Wohaibi, being duly sworn, declare and state the following:
2. I am the Secretary General of the World Assembly of Muslim Youth ("WAMY") located in Riyadh, Saudi Arabia.
3. I am submitting this declaration in support of WAMY's motions to dismiss for failure to state a claim upon which relief can be granted.
4. I am over 18 years of age and competent to testify to the matters set forth below from my personal knowledge.
5. WAMY is one of the world's largest Muslim youth organizations. WAMY believes in and strives for world peace and the betterment of humankind.
6. I have been informed by my attorney that WAMY is being sued in the above captioned action.
7. WAMY has never supported the loss of innocent lives; it believes that there is no justification for the tragic attacks of September 11, 2001. WAMY has never supported any person or organization known to participate in terrorist activities. At no time did WAMY knowingly participate in, or support in any way, terrorist

P.O. Box: 10845 Riyadh 11443 - Kingdom of Saudi Arabia  
Building 1079 King Fahd Road - Muhammadiyah Dist.  
Tel: (+9661) 2050000 Fax: (+9661) 2050011

ص.ب. ١٠٨٤٥ - الرياض ١١٤٤٣ - المملكة العربية السعودية  
مبنى رقم ١٠٧٩ - طريق الملك فهد - حي الحمدية  
هاتف: ٢٠٥٠٠٠٠ (+٩٦٦) فاكس: ٢٠٥٠٠١١ (+٩٦٦)

www.wamy.org e-mail: info@wamy.org



## World Assembly of Muslim Youth

Member of the UN NGO'S



الجمعية العالمية للشباب الإسلامي

عضو المنظمات غير الحكومية - هيئة الأمم المتحدة

Ref. No : 1/12010 : الرقم  
27/09/1426H  
Date : 30/10/2005G : التاريخ

مكتب الأمين العام  
The Secretary General Office

activities, financially or otherwise, nor was anyone ever authorized by WAMY, explicitly or implicitly, to engage in such activities.

8. WAMY has never had any connection with Benevolence International Foundation ("BIF").

9 Benevolence Foundation and BIF are two completely separate organizations, the former of which operated under the umbrella of WAMY on a few humanitarian projects.

12. In 1996 WAMY ended its relationship with the Benevolence Foundation.

13. In 1996 the Benevolence Foundation ceased to exist.

14. Dr. Adel Batterjee's relations with WAMY were limited, and ended in 1993.

15. Dr. Batterjee was never a Secretary General of WAMY, nor did he hold any other official position within the organization. Dr. Batterjee never acted on behalf of or represented WAMY.

16. The following is a list of all the Secretary Generals of WAMY since its inception:

1. Dr. Abdul Hameed Abu Soliman (1973 to 1978)
2. Dr. Ahmad Abdul Qadir bahifdallah (1978 to 1981)
3. Dr. Tawfeeq ibn Ahmed Al Qusayyer (1981 to 1986)
4. Dr. Manih ibn Hammad al Juhani (1986 to 2002)
5. Dr. Saleh S. Al-Wohaibi (2002 to present).

17. WAMY is a well respected charitable and humanitarian organization.

18. WAMY has a good working relationship with various countries from around the world. WAMY's humanitarian projects are usually coordinated and approved by the hosting countries.

19. WAMY is a peaceful organization that believes in helping the needy, the orphans and the poor as well as the victims of wars and natural disasters. WAMY believes in saving lives and not destroying them. Its humanitarian projects have

World Assembly of Muslim Youth

Member of the UN NGO'S



الدعوة العالمية للشباب الإسلامي

عضو المنظمات غير الحكومية - هيئة الأمم المتحدة

Ref. No: **1/12010**  
**27/09/1426H**  
Date: **30/10/2005G**

الرقم:

التاريخ:

مكتب الأمين العام

The Secretary General Office

saved many lives and offered education to those youths who may otherwise have not received one.

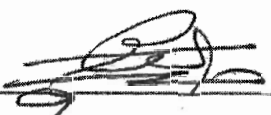
20. Since its existence, WAMY has never intentionally or knowingly carried out or assisted in any way illegal activities that would cause harm to any person, nation or property.

21. WAMY is a separate and distinct organization from the International Islamic Relief Organization ("IIRO").

22. I speak both English and Arabic languages.

I declare under the penalties of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 30th day of October, 2005.

  
Dr. Saleh Al-Wohaibi





# **EXHIBIT C**

10/27/2005

Translation from Arabic

Hand written;

1- International Benevolence Foundation  
2- Benevolence Committee

*On The Name of Allah, the Most Merciful and Most Gracious*  
*{Illegible Emblem}*

**World Assembly of Muslim Youth**

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Office of the Secretary General

Number: 4431

Date: 4/9/1413 H.

His Excellency, Mr. Adel Batterji, May God save him,  
Chairman, Benevolence International Islamic Committee Foundation,

May Peace and God's Mercy be on you.

I am pleased to your kind attention that the Assembly has learnt about your formation of an organization bearing the name Benevolence International Foundation. Since the similarity between the Foundation and the Benevolence Islamic Committee within the Assembly is clear, in terms of the unified emblem of both of them and their role and functions, I request of your Excellency that this be in consideration in the future, since it may have a confusing effect on the dealers and the donors, despite the fact that the two are not organizationally or administratively related.

I urge you to alert those who deal with your organization to be observant of that issue, if the Foundation's emblem and name remain the same, since the Assembly, along with its affiliate Benevolence Committee, is not responsible for the Foundation's activities or advertisements. I also wish to alert those who cooperate with the Foundation, in donation-collection within the Kingdom, to not confuse the Committee and the Foundation, considering the importance of this matter.

We gratefully appreciate your kind attention and cooperation.  
May Peace and God's Mercy be on you.

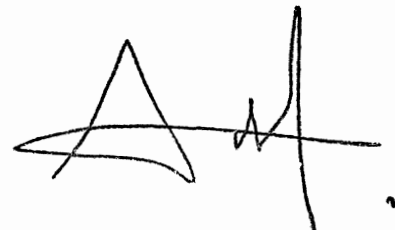
{Circular Seal of World Assembly of Muslim Youth}

S/M-225

Secretary General of World Muslim Youth,  
Dr. Sanel Bin Hammad Al-Jahani {Signed}

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P.O. Box 10845, Riyadh, Prince Sultan Bin Abdul Aziz St.,  
Saudi Arabic, Tel: (01) 4641669/4841663. Cable: ISLAMYIAH RIYADH  
Tlx: 400413/405220 ISLAM SJ Fax: (01) 4641710/4541676





World Assembly of Muslim Youth

الندوة العالمية للشباب الاسلامي

مكتب الأمين العام

Office of the Secretary General

الرقم ٤٤٢١  
التاريخ ١٤١٣/٩/١

سعادة الأخ الفاضل الاستاذ / عادل بشرجي  
رئيس منظمة لجنة البر العالمية

حفظه الله

السلام عليكم ورحمة الله وبركاته ..

يسرني أن أحيي سعادتك فلما بأن الندوة قد ملئت بتكوينكم منظمة تحمل اسم منظمة البر العالمية .. ولما كان التشابه واضحا فيما بين المنظمة ولجنة البر الاسلامية في الندوة سواء من ناحية الشعار الموحد لهما او دورهما ووظيفتهما فانني ارجو من سعادتك ان يؤخذ ذلك مستقبلا بعين الاعتبار حيث ان نتيجته قد تعود بالنفع على المتعاملين والمتبرعين رغم عدم وجود رابطة بينهما من الناحية التنظيمية والإدارية .

آمل التنبيه على المتعاونين مع منظماتكم بمراعاة ذلك اذا ظل شعار المنظمة على ما هو عليه واسمها كذلك حيث ان الندوة تعتبر غير مسئولة مع لجنة البر التابعة لها مما يصدر من المنظمة من نشاطات او اعلانات كما ارجو التأكيد على المتعاونين مع المنظمة في حالة جمع التبرعات داخل المملكة على عدم الخلط بين اللجنة والمنظمة نظرا لأهمية هذا الأمر .

شاكرين ومقدرين حسن تعاونكم واهتمامكم ..

والسلام عليكم ورحمة الله وبركاته ....

الأمين العام  
للندوة العالمية للشباب الاسلامي  
د . مانع بن حماد الجهني



٢٢٥ - م/٣



**TO WHOM IT MAY CONCERN**  
**STATEMENT CERTIFYING PROFESSIONAL TRANSLATION**

The Language Link provides professional translation services. We have translated the attached documents from *Arabic* into *English* employing a team of professional and experienced translators who have a fluent knowledge of both languages.

We edited the translated text for meaning, accuracy and consistency with the original source text, and we proofread the translated text for spelling and grammatical accuracy.

We hereby certify that to the best of our knowledge, the translation that we have provided is an accurate and faithful translation of the original text provided to us.

Evren Ay

*ATA Certified Translator*

The Language Link, Inc.

**SWORN TO BEFORE ME THIS**

*1<sup>st</sup> day of November, 2005*

(Notary Public)

DONNA A. HARRISON  
Notary Public, State of New York  
No. 01HA5082026  
Qualified in Kings County  
Commission Expires July 8, 2008

51 East 42nd Street, Suite 1510 New York, NY 10017

Tel: (212) 697 1749 Fax: (212) 286 8224 e-mail: info@thelanguagelink.com www.thelanguagelink.com

# **EXHIBIT D**

LAW FIRM OF  
**OMAR T. MOHAMMED**  
200 MADISON AVENUE, SUITE 1901  
NEW YORK, NY 10016-3903  
PHONE (212) 725-3846  
FACSIMILE (212) 725-9160

OF COUNSEL:  
TARIE DAVIS  
MARC RUBIN  
DEVEREAUX CANNICK

WEBSITE: OTMLAW.COM  
E-MAIL: OMOHAMMED@OTMLAW.COM

April 8, 2004  
Harry Hugu, Esq.  
Executive Committee for Plaintiffs  
RE: *Burnett vs. Al Baraka*  
401 9<sup>th</sup> Street NW, Suite 450  
Washington, D.C.  
20004

VIA FAX (843)720-8794

Dear Mr. Hugu

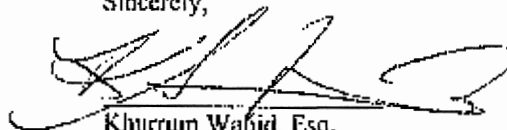
Our firm has been retained to represent the World Assembly of Muslim Youth (hereinafter WAMY) in the Southern District of New York's consolidated matter of *Kathleen Ashton et. al. vs. Egyptian Islamic Jihad et. al.* before the Hon. Judge Casey. Previous counsel has sent a letter to the court requesting permission to withdraw and allow for substitution.

As per our phone conversation this morning we contend WAMY was not properly served in this matter. WAMY is a registered Virginia non-profit corporation and maintains an office in that state. For some reason no Plaintiff in this matter has sought to properly serve WAMY either locally or overseas. WAMY will consent to a thirty day extension of time for the purposes of proper service. You may properly effectuate service at the following address:

World Assembly of Muslim Youth,  
P.O. Box 8096  
Falls Church, VA  
22041,  
USA

If for some reason you contest that WAMY was not properly served please contact me immediately to discuss the issue.

Sincerely,



Khurram Wahid, Esq.  
Counsel for  
World Assembly of Muslim Youth  
Cell phone (917) 940-5997  
Email [khurram.wahid@verizon.net](mailto:khurram.wahid@verizon.net)



LAW FIRM OF  
**OMAR T. MOHAMMEDI**  
200 MADISON AVENUE, SUITE 1901  
NEW YORK, NY 10016-3903  
PHONE (212) 725-3846  
FACSIMILE (212) 725-9160

OF COUNSEL:  
TARIK DAVIS  
MARC RUBIN  
DEVEREAUX CANNICK

WEBSITE: OTMLAW.COM  
E-MAIL: OMOHAMMEDI@OTMLAW.COM

June 29, 2004

**VIA AIRBORNE EXPRESS**

Harry Huge, Esq.  
Harry Huge Law Firm, LLP  
401 Ninth Street, N.W., Suite 450  
Market Square North  
Washington, D.C. 20004  
Phone: (843) 722-1628  
Facsimile: (202) 318-1261

**Re: Burnett v. Al Baraka Investment and Development Corp., et al. (1:03-CV-**  
**09849(RCC)**  
**Master Docket: 03 MDL 1570 (RCC)**

Dear Mr. Huge:

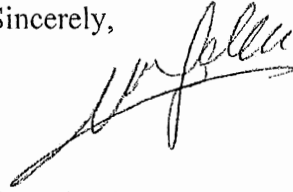
As retained counsel for the World Assembly of Muslim Youth ("WAMY"), my Co-Counsel Khurram Wahid sent you a letter on April 8, 2004, offering a one month extension to serve our client in Virginia. This was following a telephone conversation he had with you. Mr. Wahid provided the address to serve. (Attached is the letter offered). To date WAMY has not been served.

In addition, on June, 4, 2004, Kreindler & Kreindler filed a motion to voluntarily dismiss WAMY among other defendants in Kathleen Ashton, et al., v. Al Qaeda Islamic Army, et al., 02-CV-6977 (RCC), consolidated under 03 MDL 1570. Attached please find a copy of the Motion for Voluntary Dismissal. As you may know, the Ashton and Burnett cases were consolidated. The factual allegations, causations and remedies are identical in the two cases. We are requesting a voluntary dismissal of WAMY and

WAMY International in the Burnett v. Al Baraka Investment and Development Corp.,  
1:03-CV-09849, consolidated under 03 MDL 1570.

We look forward to hearing from you to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Omar Mohammedi', written over a horizontal line.

Omar Mohammedi

Enclosures:

- Letter offering extension to serve (April 8<sup>th</sup>)
- Motion for Voluntary Dismissal (June 4<sup>th</sup>)

Cc: Ronald Motley, Esquire

WAMY/BRN

# **EXHIBIT E**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

THOMAS BURNETT, SR.,	)	
in his own right As the father of	)	
THOMAS E. BURNETT, JR.,	)	
Deceased, et al.	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	Civil Action No: 1:02 CV 01616 (JR)
WORLD ASSEMBLY OF MUSLIM	)	
YOUTH	)	
a/k/a/ WAMY INTERNATIONAL. INC,	)	
a/k/a/ WORLD ASSOCIATION FOR	)	
MUSLIM YOUTH	)	
Defendants.	)	

**DECLARATION OF MAHER H. HANANIA**

I Maher H. Hanania hereby state and declare that:

1. I am an attorney with the Law Firm of HANANIA & KHEDER with offices located in the Commonwealth of Virginia.
2. I was retained by the WAMY to represent them in the above referenced matter.
3. On April 22, 2003, Defendants' counsel filed a Consent Motion for an Extension of Time to Respond to Plaintiff second Amended Complaint.
4. On April 25, 2003 the court granted the said Motion.
5. Thereafter, counsel for Plaintiff contacted Counsel to find out when an answer on behalf of WAMY will be filed.

6. Counsel for Defendant informed Plaintiff counsel that he did not serve WAMY and that they have not served the Third Amended Complaint.
7. Counsel for Plaintiff informed Counsel for Defendant that the Third Amended Complaint will be served.
8. Counsel for Defendant informed Counsel for Plaintiff that an answer will be filed on time once the Complaint is served.
9. Upon information and belief Counsel for Plaintiff never served defendants.
10. Upon information and belief service of original complaint was not perfected on Defendants.
11. Pursuant to 28 U.S.C. § 1746, I declared under penalty of perjury that the foregoing is true and correct.

Executed this 2<sup>th</sup>, day of November, 2004.

A handwritten signature in cursive script, appearing to read "Maher H. Hanania", written in dark ink.

Maher H. Hanania

# **EXHIBIT F**



(703) 783 8409

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Young, Riley Dudley & Debrota 3815 River Crossing Parkway #340 Indianapolis, Indiana 46240		TELEPHONE NO.: (317) 848-7939	982(a)(23) FOR COURT USE ONLY	
ATTORNEY FOR (Name): United States District Court of Columbia		Ref. No. or PBe No.		
SHORT TITLE OF CASE: Burnett vs. Al Baraka				
PROOF OF SERVICE (Summons)	DATE:	TIME:	DEPT. DIV.:	CASE NUMBER: 1-02-01616-JR

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the (specify documents):  
Summons & Amended Complaint

2. a. Party served (specify name of party as shown on the documents served):

World Assembly of Muslim Youth a/k/a a Wamy International, Inc., a/k/a  
World Association for Muslim Youth

b. Person served: ☐ party in item 2a ☒ other (specify name and title or relationship to the party named in item 2a):  
Caroline Sodder (Person in Charge Authorized to Accept Service)

c. Address: 5134 Leesburg  
Alexandria, VA 22302

3. I served the party named in item 2

a. ☐ by personally delivering the copies (1) on (date):

(2) at (time):

b. ☒ by leaving the copies with or in the presence of (name and title or relationship to person indicated in item 2b):

Caroline Sodder (Person in Charge Authorized to Accept Service)

(1) ☒ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person served. I informed him or her of the general nature of the papers.

(2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.

(3) on (date): 12/23/02

(4) at (time): 4:10 pm

(5) ☐ A declaration of diligence is attached. (Substituted service on natural person, minor, conservatee, or candidate.)

c. ☒ by mailing the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid,

(1) on (date): 12/23/02.

(2) from (city): Los Angeles, CA

(3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me.

(4) ☐ to an address outside California with return receipt requested.

(Attach completed form.)

d. ☐ by causing copies to be mailed. A declaration of mailing is attached.

e. ☐ other (specify other manner of service and authorizing code section):

4. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant.

b. ☐ as the person sued under the fictitious name of (specify):

c. ☒ on behalf of (specify): World Assembly of Muslim Youth a/k/a a Wamy International, Inc., a/k/a a World Association for muslim youth

under: ☒ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (individual)

☐ other:

5. Person serving (name, address, and telephone No.):

Process Service Network  
10010 Canoga Avenue #B-6  
Chatsworth, CA 91311-3043  
(818) 772-4795 Fax: (818) 772-4798  
Member CAPPS and NAPPS

a. Fee for service: \$

89.00

CCP 1033.5 (a) 4B

b. ☐ Not a registered California process server.

c. ☐ Exempt from registration under B&P § 22350(b).

d. ☐ Registered California process server.

(1) ☐ Employee or independent contractor.

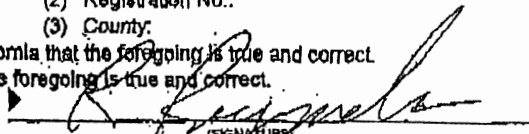
(2) Registration No.:

(3) County:

6. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

7. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

Date: 12-23-02



(SIGNATURE)

Form Adopted by Rule 982  
Judicial Council of California  
982(a)(23) (New July 1, 1997)  
Mandatory Form

PROOF OF SERVICE  
(Summons)

Code Civ. Proc. § 417.10(g)

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UNITED STATES DISTRICT COURT  
District of Columbia

THOMAS BURNETT, SR., in his own right  
as the Father of THOMAS E. BURNETT, JR.,  
Deceased, et al.,

Plaintiff(s),

SUMMONS IN A CIVIL CASE

V.

AL BARAKA INVESTMENT AND DEVELOPMENT  
CORPORATION, a/k/a AL BARAKA BANK a/k/a  
DALLAH ALBARAKA GROUP, LLC, et al.,

Defendant(s).

CASE NUMBER: 1-02-01616-JR

TO: (Name and address of Defendant)

Dr. Anwar Hajjaj  
President  
c/o Taibah International Aid Association  
P.O. Box 1181  
Falls Church, Virginia 22041

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Harry Huge, Esq.  
Market Street North  
401 Ninth Street NW  
Suite 450  
Washington, DC 20004  
(202) 824-6045

an answer to the complaint which is served on you with this summons, within 20 days after service  
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for  
the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this  
Court within a reasonable period of time after service.

NANCY M. MAYER-WHITTINGTON

OCT 31 2002

CLERK

DATE

*Belinda Solomon*

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 12/23/02
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service.

G Served personally upon the defendant. Place where served: \_\_\_\_\_

G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: Anat Haddad (Co-Tenant)  
4124 Bennett Dr., Annandale, VA 22003-3401

G Returned unexecuted: \_\_\_\_\_

G Other (specify): \_\_\_\_\_

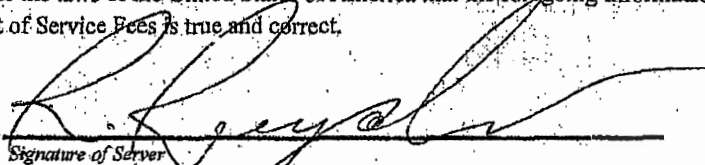
STATEMENT OF SERVICE FEES

TRAVEL	0.00	SERVICES	89.00	TOTAL	89.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/23/02  
Date

  
Signature of Server

Process Service Network  
10010 Canoga Ave #B6  
Chatsworth, CA 91311

Address of Server

RECEIVED

MAY 10 2003

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

# **EXHIBIT G**

LAW FIRM OF  
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**OF COUNSEL:**

MARC RLHIN  
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SETH MARCUS

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OMAR T. MOHAMMED  
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November 29, 2004

**VIA TELECOPY & AIRBORNE EXPRESS**

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Philadelphia, Pennsylvania 19103  
Facsimile: (215) 701-2492

Andrea Bierstein, Esq.  
Hanly Conroy Bierstein & Sherridan LLP  
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New York, New York 10017-5590  
Facsimile: (212) 401-7635

Gina MacNeill, Esq.  
Jerry Goldman & Associates  
1500 JFK Boulevard, Suite 1411  
Philadelphia, Pennsylvania 19102  
Facsimile: (215) 569-8899

**Re: MDL-1570:**

**Federal Insurance Co. v. Al Qaeda, et al., 03-CV-6978 (RCC);**  
**O'Neil v. Al Baraka Investment & Development Corp., et al.,**  
**04-CV-1923 (RCC); Burnett, et al. v. Al Baraka Investment &**  
**Development Corp., et al., 03-CV-9849 (RCC)**

Dear Counsel:

We write on behalf of our clients, the World Assembly of Muslim Youth International ("WAMY USA") and the World Assembly of Muslim Youth ("WAMY Saudi Arabia SA"). This letter addresses the service issues in the above captioned matters.

As per our telephone conversation with J. Scott Tarbutton on November 16<sup>th</sup>



and 18<sup>th</sup> and 23<sup>rd</sup>, the Law Firm of Omar T. Mohammedi will accept service on behalf of WAMY USA and WAMY SA in the Federal Insurance Co. et al., v. Al Qaeda, et al. In return Plaintiffs in Federal Insurance will strike WAMY's name from service by publication as per the Judge's Order on September 15, 2004. WAMY and WAMY USA, however, preserve all their defenses that may be asserted, including but not limited to Rule 12(b) of the Federal Rules of Civil Procedure

With regard to O'Neil v. Al Baraka Investment & Development Corp., et al., as per our telephone conversations on November 17, 2004 with Gina MacNeill, despite the fact that Plaintiffs' counsel has not yet attempted to serve WAMY USA or WAMY SA, we have agreed to accept service through our firm. In exchange, Plaintiffs' counsel agreed to strike WAMY from service by publication.

With regard to other cases, WAMY would like to know the other Plaintiffs seeking to serve WAMY via publication. WAMY has been dismissed in Ashton, et al. v. Al Qaeda, et al., Salvo et al. v. Qacda Islamic et al., and Bauer v. Al Qaeda Islamic Army et al.

This firm's acceptance of service is conditioned on the establishment of a reasonable briefing schedule for the motions to dismiss. We trust that the stipulation will be drafted on behalf of all parties and cases.

With regard to Burnett, et al. v. Al Baraka Investment & Development Corp., et al., WAMY USA and WAMY SA will not agree to accept service for the following reasons:

On December 23, 2002, Plaintiffs' counsel failed to serve WAMY USA in Alexandria, Virginia by serving a Summons and Complaint on a person not authorized to accept service. WAMY's former attorney informed Plaintiff of the defect and requested that Plaintiffs' counsel reserve WAMY USA. Plaintiffs' counsel never did.

On April 8, 2004, upon our appearance to represent WAMY, co-counsel Khurram Wahid spoke to Mr. Harry Hugu about the defective service. Thereafter, Mr. Wahid offered Mr. Hugu a 30-day extension to effectuate service upon WAMY USA and WAMY SA. Notwithstanding the fact that the 120-day limitation period had long expired, counsel for Plaintiff did not attempt to serve WAMY or at least contact Defendant's counsel when offered another 30 days to serve Defendant. Back in June, we wrote another letter requesting that Plaintiff either serve or dismiss WAMY. Once again Plaintiffs' counsel ignored Defendant's counsel communication.

In our last attempt to give Plaintiff another opportunity, on July 22<sup>nd</sup>, I personally met with Ms. Bierstein and requested that Plaintiffs' counsel either serve or dismiss WAMY. Ms. Bierstein promised that someone will get in touch with us to resolve this issue. We have not heard from anyone since.



**HANLY CONROY BIERSTEIN & SHERIDAN <sup>LLP</sup>**

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**VIA EMAIL & MAIL**

December 1, 2004

Omar T. Mohammedi, Esq.  
Law Firm of Omar T. Mohammedi  
200 Madison Avenue, Suite 1901  
New York, New York 10016-3903

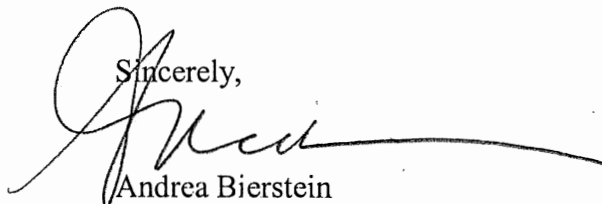
Re: MDL 1570 (*Burnett v. Al Baraka Inv. & Devel. Co.*, 03 Civ-9849 (RCC))

Dear Mr. Mohammedi:

I write in response to your letter of November 29, 2004, concerning service of process on the World Assembly of Muslim Youth ("WAMY") in the *Burnett* case. You contend that you will not accept service of process in *Burnett* because you believe that our earlier efforts to serve your client were invalid and you further assert that we have ignored your efforts to resolve the issue between us. Neither of these positions is correct.

On September 7, 2004, in response to your earlier inquiries, Justin Kaplan of Motley Rice LLC faxed to you copies of the Certificate of Service and the affidavit from our process server confirming service on WAMY in December, 2002. In his cover letter, Mr. Kaplan invited you to provide us with any reason you might have why we should not view your client as being in default. (I enclose another copy of Mr. Kaplan's letter for your reference.) I understand from Mr. Kaplan that he never received a response from you. Thus, it is you, and not we, that have refused to address the question of service on WAMY. Moreover, the documents that Mr. Kaplan sent show that WAMY was properly served and is currently in default. Accordingly, it is our intention to seek a default judgment against your client. If you wish to discuss this further, please contact Mr. Kaplan at 843-216-9109.

Sincerely,



Andrea Bierstein

Enc.

cc: Justin Kaplan, Esq.

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December 2, 2004

**VIA TELECOPY & FACSIMILE**

Andrea Bierstein, Esq.  
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100 Park Avenue  
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Facsimile: (212) 401-7635

Justin B. Kaplan  
Motley Rice, LLC  
9701 Lake Forest Boulevard  
New Orleans, LA 70127  
Facsimile: (504) 245-1816

**Re: MDL-1570:  
Burnett, et al. v. Al Baraka Investment &  
Development Corp., et al., 03-CV-9849 (RCC)**

Dear Ms. Bierstein:

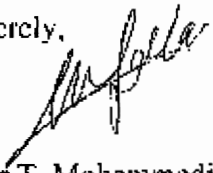
I write in response to your December 1, 2004 letter. In that letter you contend that on September 7, 2004 Justin Kaplan faxed me copies of the Certificate of Service, as well as the affidavit from your process server which purported to confirm service on WAMY in December 2002. You further have the audacity to state that Mr. Kaplan's cover letter invited me to provide any reason why my clients should not be viewed as being in default, and that I failed to respond to this invitation.

Our attempts to contact you regarding service issues have been well documented in our previous letters and communications. If we were not prepared to respond, as you allege, we would not have initiated contact with you, nor would we have repeatedly attempted to follow up on that contact to urge you to serve our clients.

As for the September 7, 2004 letter, supposedly sent to us by Mr. Kaplan, we never responded to it simply because we never received it. Please provide us with proof of the fax transmission.

It is our intention to seek a court order to dismiss the Burnett action based on the above stated facts. Thank you and please contact me with any questions.

Sincerely,



Omar T. Mohammedi

WAMY/Service